

S.B. 8 Enrolled

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CARE OF STUDENTS WITH DIABETES IN

2

SCHOOL

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2006 GENERAL SESSION

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STATE OF UTAH

5

Chief Sponsor: Patrice M. Arent

6

House Sponsor: Margaret Dayton

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Scott D. McCoy

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12 **LONG TITLE**

13 **General Description:**

14 This bill directs a public school to train school personnel who volunteer
to be trained in

15 the administration of glucagon in an emergency and permits a student to
possess or

16 possess and self-administer diabetes medication, when requested by
parents.

17 **Highlighted Provisions:**

18 This bill:

19 . provides definitions;

20 . requires a public school, when requested by parents, to train school
personnel who

21 volunteer to be trained in the administration of glucagon in an emergency;

22 . establishes requirements for the training;

23 . provides trained school personnel with:

24 . authority to administer glucagon in an emergency; and
25 . immunity from liability;
26 . exempts the administration of glucagon from other statutes;
27 . requires the Department of Health, in cooperation with the state
superintendent of
28 public instruction, to create certain forms; and
29 . directs a public school to permit a student to possess or possess and
self-administer
30 diabetes medication under certain conditions.

31
Monies Appropriated in this Bill:
32 None
33 **Other Special Clauses:**
34 None
35 **Utah Code Sections Affected:**
36 ENACTS:
37 **53A-11-603**, Utah Code Annotated 1953
38 **53A-11-604**, Utah Code Annotated 1953
39
40 *Be it enacted by the Legislature of the state of Utah:*
41 Section 1. Section **53A-11-603** is enacted to read:
42 **53A-11-603. Administration of glucagon -- Training of volunteer**
school personnel
43 **-- Authority to use glucagon -- Immunity from liability.**
44 *(1) As used in this section, "glucagon authorization" means a signed*
statement from a
45 *parent or guardian of a student with diabetes:*
46 *(a) certifying that glucagon has been prescribed for the student;*
47 *(b) requesting that the student's public school identify and train school*
personnel who
48 *volunteer to be trained in the administration of glucagon in accordance*
with this section; and
49 *(c) authorizing the administration of glucagon in an emergency to the*
student in
50 *accordance with this section.*
51 *(2) (a) A public school shall, within a reasonable time after receiving a*
glucagon
52 *authorization, train two or more school personnel who volunteer to be*
trained in the
53 *administration of glucagon, with training provided by the school nurse or*
another qualified,
54 *licensed medical professional.*
55 *(b) A public school shall allow all willing school personnel to receive*
training in the
56 *administration of glucagon, and the school shall assist and may not*

obstruct the identification

57 or training of volunteers under this Subsection (2).

58 (c) The Utah Department of Health, in cooperation with the state superintendent of

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public instruction, shall design a glucagon authorization form to be used by public schools in

60 accordance with this section.

61 (3) (a) Training in the administration of glucagon shall include:

62 (i) techniques for recognizing the symptoms that warrant the administration of

63 glucagon;

64 (ii) standards and procedures for the storage and use of glucagon;

65 (iii) other emergency procedures, including calling the emergency 911 number and

66 contacting, if possible, the student's parent or guardian; and

67 (iv) written materials covering the information required under this Subsection (3).

68 (b) A school shall retain for reference the written materials prepared in accordance with

69 Subsection (3)(a)(iv).

70 (4) A public school shall permit a student or school personnel to possess or store

71 prescribed glucagon so that it will be available for administration in an emergency in

72 accordance with this section.

73 (5) (a) A person who has received training in accordance with this section may

74 administer glucagon at a school or school activity to a student with a glucagon authorization if:

75 (i) the student is exhibiting the symptoms that warrant the administration of glucagon;

76 and

77 (ii) a licensed health care professional is not immediately available.

78 (b) A person who administers glucagon in accordance with Subsection (5)(a) shall

79 direct a responsible person to call 911 and take other appropriate actions in accordance with the

80 training materials retained under Subsection (3)(b).

81 (6) School personnel who provide or receive training under this section and act in good

82 faith are not liable in any civil or criminal action for any act taken or not taken under the

83 authority of this section with respect to the administration of glucagon.

84 (7) Section 53A-11-601 does not apply to the administration of glucagon

in accordance

85 with this section.

86 (8) Section 53A-11-904 does not apply to the possession and
administration of

87

glucagon in accordance with this section.

88 (9) The unlawful or unprofessional conduct provisions of Title 58,
Occupations and

89 Professions, do not apply to a person licensed as a health professional
under Title 58,

90 Occupations and Professions, including a nurse, physician, or pharmacist
who, in good faith,

91 trains nonlicensed volunteers to administer glucagon in accordance with
this section.

92 Section 2. Section **53A-11-604** is enacted to read:

93 **53A-11-604. Diabetes medication -- Possession -- Self-**
administration.

94 (1) As used in this section, "diabetes medication" means prescription or
95 nonprescription medication used to treat diabetes, including related
medical devices, supplies,

96 and equipment used to treat diabetes.

97 (2) A public school shall permit a student to possess or possess and self-
administer

98 diabetes medication if:

99 (a) the student's parent or guardian signs a statement:

100 (i) authorizing the student to possess or possess and self-administer
diabetes

101 medication; and

102 (ii) acknowledging that the student is responsible for, and capable of,
possessing or

103 possessing and self-administering the diabetes medication; and

104 (b) the student's health care provider provides a written statement that
states:

105 (i) it is medically appropriate for the student to possess or possess and
self-administer

106 diabetes medication and the student should be in possession of diabetes
medication at all times;

107 and

108 (ii) the name of the diabetes medication prescribed or authorized for
the student's use.

109 (3) The Utah Department of Health, in cooperation with the state
superintendent of

110 public instruction, shall design forms to be used by public schools for the
parental and health

111 care provider statements described in Subsection (2).

112 (4) Section 53A-11-904 does not apply to the possession and self-
administration of
113 diabetes medication in accordance with this section.